

COMBINED DECLARATION
AND POWER OF ATTORNEY

Attorney Docket No.
10008-1184

As a below named joint inventor, each of us hereby declares as follows:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SEMI-SOLID DELIVERY VEHICLE AND PHARMACEUTICAL COMPOSITIONS

the specification of which was filed with the US PTO on May 11, 2001 as Application No. 09/854,180.

I state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I claim the benefit under 35 U.S.C. 119(e) of copending U.S. Provisional Patent Application No. 60/xxx,xxx filed May 11, 2000 (U.S. Patent Application No. 09/569,717 filed on May 11, 2000, for which a petition to convert to a provisional application was filed on April 13, 2001).

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Derek P. Freyberg, at (650) 324-7014.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

FIRST JOINT INVENTOR INVENTOR'S SIGNATURE DATE

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Steven Ng

8/6/01

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8/6/2001

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THIRD JOINT INVENTOR INVENTOR'S SIGNATURE DATE

Jorge Heller

J. Heller

8/6/01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ng et al.
Serial No.: 10/409,408
Customer No.: 24961
Filing Date: April 7, 2003
For: PHARMACEUTICAL COMPOSITIONS USING SEMI-SOLID DELIVERY VEHICLE

POWER OF ATTORNEY BY ASSIGNEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Revoking any and all powers of attorney and authorizations of agent heretofore made in respect of the above-captioned patent application, the Assignee of the entire interest in this patent application hereby appoints the following as its attorneys, with full power of substitution and revocation, to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith:

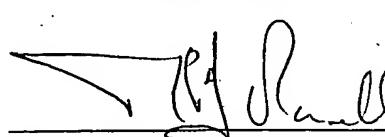
STEPHANIE SEIDMAN, Registration No. 33,779; DAVID A. HALL, Registration No. 32,233, and DALE L. RIEGER, 43,045. Direct all telephonic inquiries to Stephanie Seidman at telephone no. (858) 450-8400.

Address all correspondence to:

Stephanie Seidman
HELLER EHRLMAN WHITE & McAULIFFE
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246

A.P. PHARMA, INC.

Date: 9/30/2003


Michael P.J. O'Connell
CEO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ng et al.

Serial No.: 10/409,408

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Filing Date: April 7, 2003

For: PHARMACEUTICAL COMPOSITIONS USING SEMI-SOLID
DELIVERY VEHICLE

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

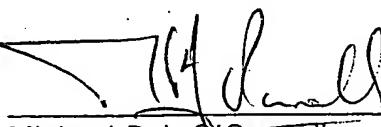
A.P. PHARMA, INC., a Delaware corporation, with a current business address of 123 Saginaw Drive, Redwood City, California 94063, U.S.A., is the Assignee of the entire right, title and interest in the above-captioned patent application by virtue of an Assignment from the inventors in parent application Serial No. 09/854,180. A copy of the Assignment from the inventors in parent application Serial No. 09/854,180 to A.P. PHARMA, INC. is recorded at Reel/Frame 012080/0220.

The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A.P. PHARMA, INC.

Date: 9/30/03


Michael P.J. O'Connell
CEO